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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,785	12/02/2003	Sang-Hyuck Jung	678-1132	3822

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THE FARRELL LAW FIRM, P.C.  
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SUITE 701  
UNIONDALE, NY 11553

EXAMINER
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EKONG, EMEM

ART UNIT	PAPER NUMBER
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2617

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/06/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/725,785

Applicant(s)

JUNG, SANG-HYUCK

Examiner

EMEM EKONG

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☒ Claim(s) 8-15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 11/24/2006 have been considered but are moot in view of the new ground(s) of rejection.
2. The declaration filed on 11/24/2006 under 37 CFR 1.131 has been considered, however, the certified translation (Exhibit B) seemed to not fully translate the whole document of the invention disclosure (Exhibit A).

### ***Allowable Subject Matter***

3. Claims 8-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

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1. Determining the scope and contents of the prior art.
  2. Ascertaining the differences between the prior art and the claims at issue.
  3. Resolving the level of ordinary skill in the pertinent art.
  4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
6. Claims 1, and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,461,672 to Enokido et al. (Enokido) in view of US Patent No. 6,370,362 B1 to Hansen et al. (Hansen).

Regarding claim 1, Enokido discloses a mobile communication device comprising: a main body (main body 1) including a liquid crystal display (LCD 15) and guide holes (slide guide grooves 41 and 42) having a closed back face, and open front face and first and second open ends, the guide holes formed at both sides of, and facing the open front face outwardly from the liquid crystal display [see figures 2-3, col. 6 line 54- col. 7 line 6]; a slide cover (i.e. speaker housing 4) which includes a speaker (speaker 27) and is slidable over a front surface of the liquid crystal display in a longitudinal direction with respect to the main body [see figure 1]; and inserted into the open front face of the guide holes (slide guide grooves 41 and 42) for sliding the slide cover over the front surface of the liquid crystal display; and a side grip [col. 7 lines 10-29 (click mechanism 43)] provided at a side surface of the main body so as to fix a position of the pop-up module (slide guide lugs 37 and 38), [see figures 2-3, col. 6 line 54- col. 7 line 6, and col. 7 lines 46-52].

However, Enokido fails to specifically disclose a pop-up module connected to the slide cover.

Hansen discloses a pop-up module (metal slide frame 6) connected to the slide cover [see figures 5, 8, 11, col. 3 lines 42-45, and col. 6 lines 50-55].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the invention of Enokido, and have a pop-up module connected to the slide cover as disclosed by Hansen for the purpose of sliding the pop-up module (metal slide frame 6) through the guide holes (slide guide grooves 41 and 42) on the display.

Regarding claim 5, the combination of Enokido and Hansen discloses the mobile communication device as set forth in claim 1, wherein the pop-up module includes: a head section connected to the slide cover; at least one bar installed at an end of the head section and inserted into the corresponding guide holes [Hansen, see figure 5, and col. 5 line 9-18]; and a compression spring installed within the bar for providing elastic force as the bar is slid towards or away from the main body [see figure 7-8].

Regarding claim 6, the combination of Enokido and Hansen discloses the mobile communication device as set forth in claim 5, wherein the head section includes a connection plate for connecting the at least one bar to another bar [Hansen, see figure 5].

Regarding claim 7, the combination of Enokido and Hansen discloses the mobile communication device as set forth in claim 5, wherein a flexible circuit (Hansen, i.e. flex

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strip 44) is installed within an other bar, the coiled compression spring is installed within the at least one bar (col. 6 lines 35-58), and a locking groove is formed in a lower end of the at least one bar (col. 5 line 64-col. 6 line 3).

7. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Enokido in view of Hansen, and further in view of US Patent No. 5,369,788 to Nagai.

Regarding claim 2, the combination of Enokido and Hansen discloses the mobile communication device as set forth in claim 1, however fails to disclose wherein guide grooves are formed at both sides of the liquid crystal display in the longitudinal direction to guide the slide cover.

Nagai discloses wherein guide grooves are formed at both sides of the liquid crystal display in the longitudinal direction to guide the slide cover (see figure 5, and col. 2 lines 34-51).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the combination, and have the guide grooves formed at both sides of the liquid crystal display in the longitudinal direction as disclosed by Nagai for the purpose of guiding when sliding on the slide cover.

8. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enokido in view of Hansen, and further in view of US Patent No. 5,450,619 to Maeda.

Regarding claims 3-4, the combination of Enokido and Hansen discloses the mobile communication device as set forth in claim 1, however, the combination fails to disclose wherein the liquid crystal display serves as a main liquid crystal display when

the slide cover is slid away from the main body during use of the mobile communication device to expose the entire liquid crystal display, and serves as a sub-liquid crystal display when the slide cover is slid towards the main body during nonuse of the mobile communication device so as to partially expose the liquid crystal display, and wherein the slide cover is slid away from the main body during use of the mobile communication device to expose the entire liquid crystal display, and is slid towards the main body during nonuse of the mobile communication device to partially expose the liquid crystal display.

Maeda discloses wherein the liquid crystal display serves as a main liquid crystal display when the slide cover is slid away from the main body during use of the mobile communication device to expose the entire liquid crystal display, and serves as a sub-liquid crystal display when the slide cover is slid towards the main body during nonuse of the mobile communication device so as to partially expose the liquid crystal display, and wherein the slide cover is slid away from the main body during use of the mobile communication device to expose the entire liquid crystal display, and is slid towards the main body during nonuse of the mobile communication device to partially expose the liquid crystal display (see figures 1-2, and col. 2 line 28-col. 3 line 14).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the combination, and have the liquid crystal display serves as a main liquid crystal display when the slide cover is slid away from the main body during use of the mobile communication device to expose the entire liquid crystal display, and serves as a sub-liquid crystal display when the slide cover is slid towards

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the main body during nonuse of the mobile communication device so as to partially expose the liquid crystal display, and wherein the slide cover is slid away from the main body during use of the mobile communication device to expose the entire liquid crystal display, and is slid towards the main body during nonuse of the mobile communication device to partially expose the liquid crystal display as disclosed by Maeda for the purpose of maximizing the device during usage and minimizing the device for storage (col. 1 line 36-46).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EMEM EKONG whose telephone number is 571 272 8129. The examiner can normally be reached on 8-5 Mon-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 571 272 7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



EE

03/22/2007



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